

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: OCTOBER 4, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SUP-15214 - APPLICANT: KEEN-TV - OWNER: DURANGO & ELKHORN, LLC**

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**\*\* CONDITIONS \*\***

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

**Planning and Development**

1. The satellite dish shall be screened from view from abutting properties and streets as required by the Planning and Development Department.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-4935 shall be required.
3. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**Public Works**

5. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for a Special Use Permit for a television station at 7175 North Durango Drive. The applicant indicates an eighteen inch satellite dish will be placed on the roof of the building.

**EXECUTIVE SUMMARY**

The proposed use is consistent with city standards and is compatible with existing development in the Towncenter plan area. Staff has included a condition of approval which requires the small satellite dish to be screened from view from abutting properties and streets.

**BACKGROUND INFORMATION**

***A) Related Actions***

- 01/17/01      The City Council approved a petition to Annex (A-0003-99) property generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the subject site. The Planning Commission and staff recommended approval on 03/25/99. The effective date was 01/26/01.
- 11/20/02      The City Council approved a request for a Rezoning (Z-0085-02) from U (Undeveloped) Zone [TC (Town Center) General Plan Designation] to TC (Town Center) on 5.0 acres located adjacent to the southwest corner of Elkhorn Road and El Capitan Way [Proposed Durango Drive Alignment]. The Planning Commission and staff recommended approval on 10/24/02.
- 09/23/04      The Planning Commission approved a Site Development Plan Review and Waivers of the Town Center Development Standards (SDR-4935) for the two-story minimum height requirement in the Urban Center Mixed-Use District and the 70 percent minimum clear glazing requirement at the ground floor level along primary pedestrian routes for a proposed 43,200 square-foot commercial development on the subject site.
- 09/07/06      The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #4/ar).

***B) Pre-Application Meeting***

- 07/12/06      The application requirements for a Special Use Permit were reviewed.

***C) Neighborhood Meetings***

A neighborhood meeting is not required as part of this application request, nor was one held.

**DETAILS OF APPLICATION REQUEST**

***A) Site Area***

Gross Acres: 3.97

***B) Existing Land Use***

Subject Property: Office/retail complex – under construction

North: Undeveloped

South: Undeveloped

East: Office/retail complex – under construction

West: Single Family Subdivision – under construction

***C) Planned Land Use***

Subject Property: UC-TC (Urban Center Mixed Use - Town Center)

North: PF-TC (Public Facilities - Town Center)

South: UC-TC (Urban Center Mixed Use - Town Center)

East: UC-TC (Urban Center Mixed Use - Town Center)

West: UC-TC (Urban Center Mixed Use - Town Center)

***D) Existing Zoning***

Subject Property: T-C (Town Center)

North: T-C (Town Center)

South: T-C (Town Center)

East: T-C (Town Center)

West: T-C (Town Center)

***E) General Plan Compliance***

The General Plan designation of the two subject parcels on the Centennial Hills Sector Plan map is TC (Town Center), with the special land use designation of UC-TC (Urban Center Mixed Use - Town Center), pursuant to the Town Center Development Standards Manual. The current T-C (Town Center) zoning district conforms to this special land use designation. The proposed site plan is in compliance with the provisions of this designation and zoning district, subject to the waivers as requested.

<i><b>SPECIAL DISTRICTS/ZONES</b></i>	<b>Yes</b>	<b>No</b>
<b>Special Area Plan</b>	<b>X</b>	
<i>Town Center</i>	<i>X</i>	
<b>Special Overlay District</b>		<b>X</b>
<b>Trails</b>	<b>X</b>	
<b>Rural Preservation Neighborhood</b>		<b>X</b>
<b>Development Impact Notification Assessment</b>		<b>X</b>
<b>Project of Regional Significance</b>		<b>X</b>

**Town Center Development Standards** - Development within the UC-TC (Urban Center Mixed-Use - Town Center) land use designation is intended to be multi-storied, having ground floor offices and/or retail with similar or residential uses utilizing the upper floors. The minimum height requirement in Town Center is two stories. There are no density limitations in the UC-TC District. Local supporting land uses such as parks, other public recreational facilities, some schools, and churches are also allowed in this district. Development in this land use designation shall be consistent with Section 3.4.3, Mixed Use, of the Centennial Hills Sector Plan. Development in the UC-TC District shall be by development agreement per Section 19.18.090.

**Trails** – The Interlocal Joint Use Planning Area - Trails Map No. 2, adopted by the City of Las Vegas on November 20, 2002, identifies a Multi-Use Non-Equestrian Trail located on the east side of Durango Drive. However, since Durango Drive has been planned and developed as a 120 - foot Town Center Parkway, this trail will be developed on both sides of the street and will include a five-foot amenity zone and 9’-6” sidewalk.

## **INTERAGENCY ISSUES**

There are no interagency issues that affect the subject site.

## **ANALYSIS**

### ***A) Zoning Code Compliance***

#### **A1) Parking and Traffic Standards**

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Restaurant/ Bar and Restaurant	10,375 s.f. (est. 5,562 public seating	1 space/ 50 s.f. of public seating area	112 spaces			
	4,813 s.f. remaining GFA)	1 space/ 200 s.f. other GFA	24 spaces			
Office	10,607 s.f.	1 space/ 300 s.f. GFA	36 spaces			
General Retail	3,478 s.f.	1 space/ 250 s.f. GFA	20 spaces			
Financial Institution	3,300	1 space/ 200 s.f. GFA	17 spaces			
Commercial	2,600	1 space/ 250 s.f. GFA	11 spaces			
Beauty Parlor	6,252	1 space/ 200 s.f. GFA	32 spaces			
Totals			252 spaces	7 spaces	265 spaces	8 spaces

The site plan, as depicted, exceeds the minimum parking requirements of the Code.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed television station use.

***B) General Analysis and Discussion***

- Zoning

The zoning is T-C (Town Center), which is appropriate for the Town Center area.

- Use

This use is similar in intensity to an office use, which is typical within the commercial areas of Town Center.

- Conditions

There are no standard conditions which apply to this use.

**FINDINGS**

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed use is consistent with city standards and is compatible with existing development in the Towncenter plan area.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The project is located at the intersection of Elkhorn Road and Durango Drive, where the Town Center Plan encourages the placement of commercial establishments and similar uses.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

The project has direct access to Durango Drive. The use will not have an adverse effect on the capacity of the street.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

Approval of the development should not prove to be detrimental to the overall health, safety and public welfare.

#### **PLANNING COMMISSION ACTION**

At the Planning Commission meeting the applicant clarified that their application was for an 18” diameter dish mounted on the building roof. The applicant agreed to all conditions.

#### **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

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**ASSEMBLY DISTRICT** 13

**SENATE DISTRICT** 9

**NOTICES MAILED** 279 by City Clerk

**APPROVALS** 0

**PROTESTS** 0